

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
DOCKET NO. 5:19-cr-22-MOC-DSC-2**

**UNITED STATES OF AMERICA**

vs.

**JOHN D. GRAY,**

Defendant.

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**ORDER**

**THIS MATTER** is before the Court on Defendant John D. Gray's Unopposed Motion to Continue. (#355). Having considered Defendant's motion and reviewed the pleadings, the Court enters the following Order.

**ORDER**

**IT IS THEREFORE ORDERED** that Defendant's Motion to Continue (#355) is **GRANTED**, this matter is continued to a criminal term to be determined pending the parties' conference regarding a proposed peremptory date.

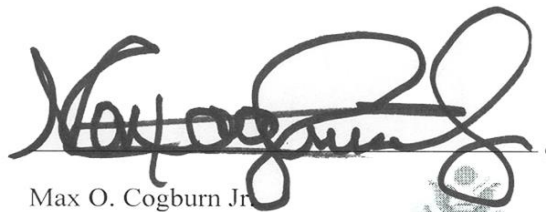
The Court finds the delay caused by such continuance shall be excluded in accordance with 18 U.S.C. § 3161(h)(7)(B)(iv), as failure to grant such a continuance would deny counsel for defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. Further, the ends of justice served by granting such continuance outweigh the best interests of the public and defendant in a speedy trial. Specifically, Defendant and counsel have shown a need for additional time to review discovery and other materials in preparing for trial or other resolution of this matter. This matter is continued from the March

2023 trial term and rescheduled to an as yet undetermined criminal term pending the parties' conference regarding a proposed peremptory date.

**IT IS FURTHER ORDERED** that the deadline for Defendant to move for a bill of particulars, pursuant to Federal Rule of Criminal Procedure 7, and the deadline for Pretrial Motions are both continued to 30 days prior to the new trial date.

**IT IS FURTHER ORDERED** that in accordance with 18 U.S.C. § 3161(h)(6), this matter is continued as to the remaining co-defendants and the time is excluded as a reasonable period of delay as such defendants are joined with a co-defendant whose case has been continued from the term and as to whom the time for trial has not run and no motion for severance has been granted.

Signed: January 24, 2023



Max O. Cogburn Jr.  
United States District Judge